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**MEMO ENDORSED**

November 12, 2019

By ECF

Hon. Barbara Moses  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Application GRANTED. SO ORDERED.

Barbara Moses, U.S.M.J.  
November 12, 2019

Re: Josefina S. v. The City of New York  
17 CV 7661 (AJN)(BM)

Dear Judge Moses:

I am the Assistant Corporation Counsel assigned to represent the defendant City of New York ("Defendant") in the above-referenced matter in which Plaintiffs allege that the New York City Administration for Children's Services ("ACS") discriminates against parents with intellectual disabilities. I write jointly with Plaintiffs' counsel to advise the Court that the parties continue to be engaged in fruitful settlement negotiations, and to respectfully request that the settlement conference currently scheduled for November 19, 2019 be adjourned *sine die*, with the parties to submit a joint status report no later than December 16, 2019.

The parties appeared before Judge Nathan on September 20, 2019. Since then, the parties have been actively engaged in settlement discussions and negotiations on a variety of complex proposals. The parties met for approximately two hours on October 7, 2019 and had an additional meeting by phone on October 23, 2019. At this time, the parties have discussed each of Plaintiffs' settlement demands in detail. However, the parties do require additional time to determine whether certain settlement provisions are feasible or advisable, particularly if they would require formal modifications to City policies and additional funding.

To further these settlement negotiations, ACS held a large meeting on November 1, 2019, which included several deputy commissioners at ACS, members of the ACS programming staff, and members of the Office of General Counsel, who reviewed the settlement proposal for nearly two hours. Defendant now expects to be able to provide more concrete information to Plaintiffs' counsel, and to that end, the parties have thus scheduled an additional settlement meeting for November 13, 2019. Defendant further expects at least one additional substantial meeting may be required before the parties may be able to reach a possible settlement in principle.

Accordingly, so that the parties may focus on settlement negotiations—and perhaps so that the parties may reach a settlement in principle—the parties respectfully request that (1) the settlement conference currently scheduled for November 19, 2019 be rescheduled *sine die*; and that (2) the parties provide an update to Your Honor on their progress, by joint letter, no later than December 16, 2019.

Thank you for your consideration of the foregoing.

Respectfully,

/s/ James H.R. Windels  
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s/  
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